

AO 440 (Rev. 12/09) Summons in a Civil Action

---

---

UNITED STATES DISTRICT COURT

for the

District of Delaware

BIO-RAD LABORATORIES, INC.,

\_\_\_\_\_  
*Plaintiff*

v.

THERMO FISHER SCIENTIFIC INC.,

\_\_\_\_\_  
*Defendant*

)  
)  
)  
)  
)  
)  
)

Civil Action No. 17-469

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

Thermo Fisher Scientific Inc.  
c/o Capitol Services, Inc. (registered agent)  
1675 S. State Street, Suite B  
Dover, DE 19901

A lawsuit has been filed against you.

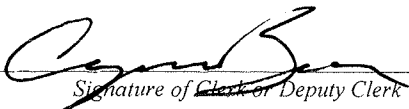
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Steven J. Balick  
Ashby & Geddes  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, DE 19899

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 04/26/2017

  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 17-469

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Thermo Fisher Scientific Inc.  
was received by me on *(date)* 04/26/17.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Lisa Witmer @ 12:07 p.m., who is  
designated by law to accept service of process on behalf of *(name of organization)* Capitol Services Inc., 1675  
S. State Street, Suite B, Dover, DE 19901 on *(date)* 04/26/2017; or

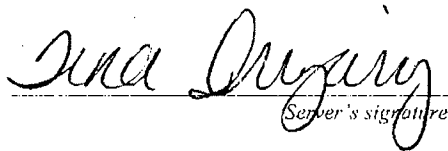
☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 04/26/2017

  
*(Server's signature)*

Tina Irizarry-Process Server  
*Printed name and title*

1111B S. Governors Ave.  
Dover, DE 19904  
*Server's address*

Additional information regarding attempted service, etc:

Additional documents served: Complaint for Patent Infringement w/exhibits

Description of person served: Caucasian female approximately 5'2", 110 lbs, 20-25 years old with brown hair and glasses.